

MICHAEL N. MILBY, CLERK OF COURT

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orderly and efficient presentation of legal issues to the Court. In light of the procedural posture of this case and the many other cases currently pending in this District, the chance that additional cases may also be filed in this Court, and the numerous legal and procedural issues that will be briefed in Defendant's motion to dismiss, Defendant Lay respectfully requests that his time to move, answer, or otherwise respond be extended pursuant to Federal Rule of Civil Procedure 6(b).

2. A district court enjoys broad discretion to extend filing deadlines, *see* Fed. R. Civ. P. 6(b); *Hetzel v. Bethlehem Steel Corp.*, 50 F.3d 360, 367 (5th Cir. 1995), and an extension would clearly be appropriate in this case. Defendant Lay faces a multitude of deadlines in a number of different courts and, as plaintiffs and their counsel jockey for a leading role in this litigation, Defendant Lay is being bombarded with complaints, motions, requests for discovery, and even requests for emergency hearings. These cases present numerous legal issues, and it is important that the parties be afforded an adequate opportunity to research and brief these issues in a comprehensive and meaningful way for the Court.

3. In addition, an extension will allow for better coordination of this case with the many other cases that have been filed.<sup>1</sup> A Motion to Consolidate all related cases filed in this District is currently pending before this Court.<sup>2</sup> Thus, in addition to Defendant Lay's need for additional time to research and prepare his response, the Court will also benefit from an extension and the opportunity it allows for efficient and orderly management of the case.

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<sup>1</sup>Not all of the defendants named in this action are defendants in all of the many other cases that have been filed to date. Nevertheless, all of the other cases that have been filed also involve at least some of the defendants named in this case.

<sup>2</sup>The Motion to Consolidate was filed in this Court, pursuant to S.D. Tex. L.R. 7.6, because this is the oldest Enron-related securities case.

4. Accordingly, to allow time for coordination of these cases, and to relieve at least some of the burden and expenses to the parties and the courts associated with this litigation, Defendant Lay hereby requests an enlargement of time to answer, move to dismiss, or otherwise respond to Plaintiff's Complaint. Defendant Lay requests that the deadline for filing any responsive pleadings be extended until 30 days after the Motion to Consolidate all of the Enron-related cases is ruled upon, or alternatively until the Court enters a comprehensive Case Management Order that establishes a briefing schedule for *all* motions, and that takes account of the logistical and procedural challenges posed by this and other Enron-related cases.

WHEREFORE, for the reasons stated herein, Defendant Lay respectfully requests that the Court grant this Motion and enlarge the time to answer, move to dismiss, or otherwise respond to Plaintiff's Complaint until 30 days after the Motion to Consolidate is ruled upon, or at such time as the Court later determines in a Case Management Order.

Respectfully submitted,



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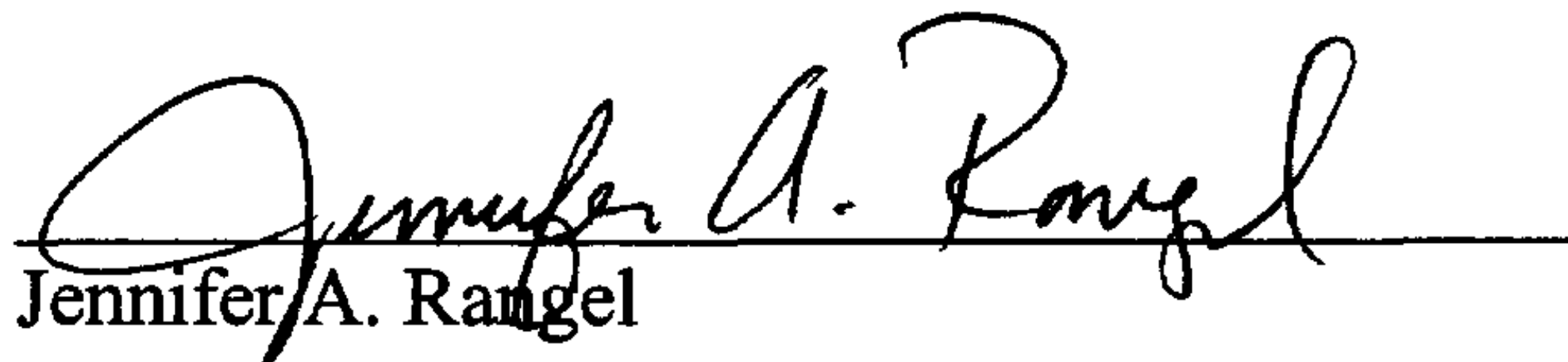
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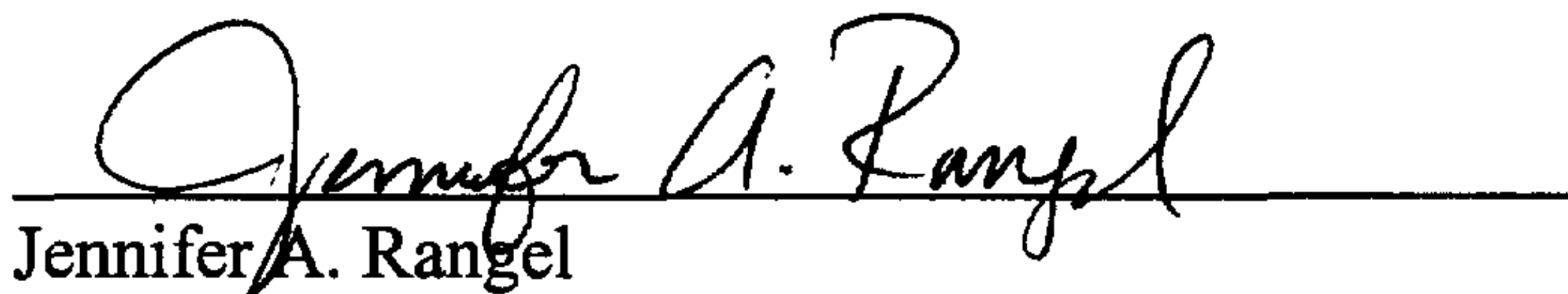
**CERTIFICATE OF CONFERENCE**

On December 6, 2001, the undersigned counsel for Defendant Lay conferred with counsel for Plaintiff on the merits regarding the foregoing motion. Plaintiff's counsel agreed to the relief sought herein.

  
Jennifer A. Rangel

**CERTIFICATE OF SERVICE**

A true and correct copy of this motion was served on counsel of record by regular mail on December 7, 2001.

  
Jennifer A. Rangel